Reply to Beehler

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Rodger Beehler’s incisive paper presents three main criticisms of the discussion of autonomy and democracy presented in the last chapter of our book On Democracy. First, he claims that our discussion of autonomy is flawed by our neglect of the capacity to choose. While the capacities that we associate with autonomy — ‘understanding, imagining, reasoning, valuing, and desiring’ — are necessary to being an autonomous chooser, they are insufficient. Specifically, as Beehler points out, a pathologically indecisive person might have and exercise all such capacities, but never actually regulate his or her conduct in accordance with judgments arrived at through deliberation, as true self-governance would require. Second, Beehler argues that we mistakenly suppose that being free — that is, being a member of an order which ensures the rights and powers required for the exercise of self-governing capacities — is sufficient for being autonomous. Here, he claims, we confuse ‘social relations constitutive of freedom with individual capacities necessary for autonomy’ (Beehler, 577) — a confusion that he contends arises from our failure to include choice in the characterization of autonomy. Third, Beehler objects to our treating an abstract ideal of democratic association, rather than autonomy itself, as fundamental, as if autonomy is a good thing because of the role that it plays in a democratic order. He holds instead that democracy is a good thing principally because of its contribution to human self-governance. According

1 Joshua Cohen and Joel Rogers, On Democracy (New York: Penguin 1983)
2 Ibid., 151
3 As here, all references to Beehler’s ‘Autonomy and the Democratic Principle’ are contained in the text.
to Beehler, our approach has an important disadvantage relative to his own: Because we do not take the path from autonomy to democracy, we are left either with no argument for the democratic ideal, or with a utilitarian argument that we will find unpalatable.

In briefly responding to Beehler's criticisms, we will as a general matter confine ourselves to clarifying the strategy of argument in *On Democracy*, leaving the defense of that strategy to another occasion. We choose this focus because we are inclined to regard Beehler's remarks less as damaging criticisms than as suggestions of how we might have been more explicit in stating the point of our argument.

Concerning the first point. Beehler is right that the capacities we note are insufficient for autonomy: the capacity for choice must be included. When we referred to the capacities of understanding, etc., as 'self-governing capacities,' and said that autonomy consists in their exercise, we were assuming that the paradigm case of that exercise consists in arriving at a judgment about the best course of conduct and in acting on that judgment. But Beehler is clearly correct in asserting that a pathologically indecisive person could have and exercise these capacities without doing so in the paradigmatic way.

Thus we take Beehler's first point. In doing so, however, we do not think the point has all the implications that he suggests.

To explain why, we need first to enter a methodological remark. The account of democratic association that we present in *On Democracy* is an elaboration of a social ideal: the ideal of a democratic order, the central principle of which is the Principle of Democratic Legitimacy (PDL). That elaboration proceeds, as Beehler notes (Beehler, 580), along broadly 'Rawlsian' lines. Thus, Rawls' theory of justice provides an account of justice rooted in the intuitive ideal of a fair scheme of social cooperation (captured in the more formal notion of a well-ordered society). Rawls aims to give more determinate content to this notion of fair cooperation, not to argue for the importance of fairness itself. The content comes from construing persons as fully cooperating members of a well-ordered society, and therefore as free and equal moral persons, and then considering what principles the members of a well-ordered society so construed would agree to to regulate their cooperation.

Now in describing our approach in *On Democracy* as 'Rawlsian,' we mean to highlight three respects in which it is congruent with this

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4 As we indicated, albeit in very general terms, in Cohen and Rogers, 147-8.

strategy of Rawls. First, our account of reasonable norms of social order proceeds from an intuitive social ideal. In our account the social ideal is not a system of fair social cooperation, but the more expressly political ideal of a democratic order in which the terms of association are either the preconditions for or are determined through the deliberation of the members as free and equal citizens. Second, our characterization of persons as autonomous is offered in light of this ideal. That is, if persons regard one another and make claims on one another as fully cooperating members of a democratic order, then they understand one another to be, inter alia, autonomous. Third, we use this characterization of persons to fill out the content of the social ideal itself. In particular, we seek to work out the consequences of the ideal of a democratic order in which the members respect one another as autonomous. Like Rawls, then, we take an abstract social ideal as fundamental, characterize the relevant aspects of persons in terms of this ideal, and then use that characterization (among other things) to fill out the content of the ideal.

With this methodological point entered, we return to the second and third of Beehler’s criticisms.

Concerning the second, what we claim is that in regarding one another as fully cooperating members of a democratic order, the citizens in that order attribute to one another the capacity for autonomy (amended, as Beehler suggests, to include the capacity to arrive at decisions and to act on them). Being a fully cooperating member is not simply a matter of having various rights and obligations, but of having the capacity to deliberate about the terms of social cooperation and to act on the results of such deliberation. Among the citizens of a democratic order, there may be people like Beehler’s K, who live in a democratic association regulated by the PDL, and have all the rights and duties of a member, but who lack the capacity to be a fully cooperating member — that is, who lack the capacity to act from the results of public deliberation in ways that respect the PDL. But we wanted to work out the content of the democratic ideal abstracting from such special cases, and concentrating exclusively on those persons who are able, in Beehler’s terms, to ‘participate in the free democratic association which secures freedom’ (Beehler, 578). Since Beehler agrees that such persons ‘have and exercise the capacities whose exercise constitutes

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6 Cohen and Rogers, 152-67

autonomy' (ibid.), we do not see a substantial disagreement here, much less a 'confusion' on our part. But we certainly agree that a fuller treatment of issues of democratic association would require discussion of what to do when people lack the relevant capacities.

Concerning the third point, Beehler is right that we do not proceed from the value of autonomy to the virtues of democratic association. As our methodological remarks suggest, we assume that there is something intuitively appealing about the social ideal of democracy. We do not seek to defend that ideal by deriving it from some more fundamental norms or features of human nature. Rather, we treat it as a free-standing social ideal whose appeal might be explained in a variety of ways. In *On Democracy*, for example, we seek to support it by showing its connection with an appealing conception of persons, and by linking it to a variety of more specific requirements of social order,\(^8\) at least some of which are attractive in themselves. Since our aim was not to support the democratic ideal by deriving it from some more fundamental normative principle, however, we do not agree with Beehler that we are forced to appeal to (unattractive) utilitarian considerations in its defense.

Finally, while we do not seek to support the democratic ideal by arguing that it is especially well-suited to human nature, we do of course recognize that facts about human nature constrain the elaboration of democratic ideals. That is, the ideal must be consistent with such facts about human beings as are known or reasonably believed to be true. But we do not think that we have problems on this score, and Beehler does not suggest otherwise.

Taking Beehler's second and third criticisms (and our response to them) together, then, we think that there is some difference between Beehler and us concerning strategies for defending a social ideal. Beehler holds that autonomy is the essential characteristic of human beings, and the characteristic that has supreme value. For him, the problem for social philosophy is to work out the consequences for social order of that autonomy. We think that the claim that autonomy is, for normative purposes, the essential characteristic itself reflects a very general ideal of free social cooperation, and that the problem is to work out in detail the content of that ideal. For this reason we do not think that we 'confuse social relations ... with individual capacities' (Beehler, 577). Instead, we think that both the content and value of autonomy are best brought into focus by working out the content of a social ideal.

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8 The seven 'institutional requirements' that we discuss in chapter 6 of *On Democracy*. 
Put otherwise, the basic difference is this. According to Beehler, certain fundamental properties of individuals guide inquiry in political philosophy. But on our view, political philosophy is, so to speak, social 'all the way down.' We do not think that one can reasonable fix the features of individuals — the 'conception of the person' — that ought to figure in normative political argument prior to and in abstraction from settling certain general features of such argument and the problems to which it is addressed.

Having indicated this basic difference, however, we should add that on our view (and here we imagine that there is agreement with Beehler) the crucial thing is to work out the substance of a position and not to try to resolve such methodological issues independently from substantive political argument.

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